

PROB 12B
(7/93)

**United States District Court
for the
Eastern District of Missouri**

**Request for Modifying the Conditions
or Term of Supervision with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

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U.S. PROBATION OFFICE
ST. LOUIS, MISSOURI

2004 **FILED** AM 3:11

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U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS, MISSOURI

Name of Offender: Kevin Dern

Case Number: 4:04-cr-00046-JCH

Name of Sentencing Judicial Officer: The Honorable Alan H. Nevas, United States District Judge, District of Connecticut. On January 8, 2004, Jurisdiction transferred to The Honorable Jean C. Hamilton, United States District Judge, Eastern District of Missouri.

Date of Original Sentence: October 21, 2002.

Original Offense: Misprison of a Felony.

Original Sentence: 10 months in the custody of the Bureau of Prisons to be followed by one year of supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: 09/12/03

Expiration Date: 09/11/04

PETITIONING THE COURT

To modify the conditions of supervision as follows:

The defendant shall participate in a sex offense specific treatment program. The defendant shall enter, cooperate, and complete said program until released by the United States Probation Officer. The defendant shall abide by all policies and procedures of the sex-offense specific program. During the course of said treatment, the defendant shall be subject to periodic and random physiological testing which may include but is not limited to polygraph testing and/or other specialized assessment instruments. The defendant shall contribute to the cost of treatment in an amount to be determined by the probation office.

The defendant shall not possess obscene material as deemed inappropriate by the probation officer and/or treatment staff, or patronize any place where such material or entertainment is available.

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February 25, 2004

RE: Kevin Dern

Case Number: 4:04CR00046 JCH

The defendant shall not possess or use a computer or any other device with access to any "on line computer services" at any location (including employment) without the prior written approval of the United States Probation Office. In addition, the defendant shall consent to the United States Probation Office or United States Probation Office service representative conducting periodic unannounced examinations of his computer(s) equipment, that may include the retrieval and copying of all data from his computer(s) and any internal and external peripherals to insure compliance with this condition and/or removal of such equipment for the purpose of conducting a more thorough inspection. The defendant shall, at the directions of the United States Probation Office, consent to having installed on his computer(s), at his expense, any hardware or software systems to monitor his computer use.

Previous Violations

None.

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February 25, 2004

RE: Kevin Dern

Case Number: 4:04CR00046 JCH

CAUSE

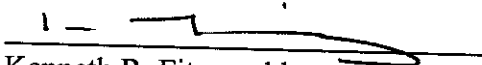
At the time of sentencing, Dern did not receive the above sex offender specific conditions.

After discussion with Dern and with consideration given to his instant offense, additional conditions are recommended to promote effective supervision and community safety. The Assistant U. S. Attorney in this case has been contacted and does not oppose the establishment of a modification of conditions. Consequently, the probation office is recommending that the offender's conditions of supervision be modified as noted in the aforementioned paragraph. As the attached Probation Form 49 indicates, Dern does agree to the proposed modifications as indicated by his signature on Probation Form 49.

Should additional information or clarification be required, please contact the undersigned at 244-6718.

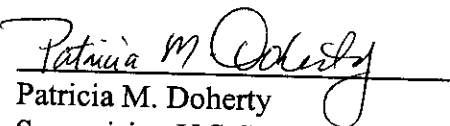
Respectfully submitted,

By


Kenneth R. Fitzgerald
U.S. Probation Officer

Date: 2/25/04

Approved by:

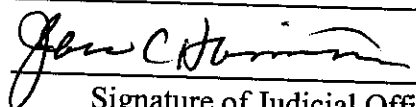

Patricia M. Doherty
Supervising U.S. Probation Officer

KRF;krf

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THE COURT ORDERS:

- ☐ No Action
☒ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other _____

 3/1/04
Signature of Judicial Officer

Date